IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 1220 OF 1998

Shri Brijesh Champalal Mundada. ... Appellant.

V/s.

Shri Chandu Sukhdev Katore
and others. ... Respondents.

Ms.Seema Sarnaik for the appellant.

CORAM : A.S.Oka, J.

DATED : 7th March, 2005.

P.C. :

. Heard the learned counsel for the Appellant.

2. By this Appeal from Order, the original Plaintiff has taken exception to the judgment and order dated 26th June 1998 passed by the trial Court by which Application at Exh.5 for temporary injunction made by the Appellant-Plaintiff has been rejected. The record shows that there is no ad-interim relief granted by this Court in this Appeal from Order. Thus net result is that throughout from 26th June 1998 till today there is no ad-interim relief operating in favour of the Appellant. The grant of temporary injunction is an equitable relief and no interference with the impugned order is possible at this stage. The

Appeal from order is, therefore, dismissed with no order as to costs.

3. It is, however, made clear that the suit, if pending, will be decided on its own merits uninfluenced by the tentative findings recorded in the impugned order.

4. All the concerned parties to act on an authenticated copy of this order.

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 11363 OF 1998
IN
APPEAL FROM ORDER NO. 1220 OF 1998

Shri Brijesh Champalal Mundada. ... Appellant.

V/s.

Shri Chandu Sukhdev Katore
and others. ... Respondents.

Ms.Seema Sarnaik for the appellant.

CORAM : A.S.Oka, J.

DATED : 7th March, 2005.

P.C. :

. In view of dismissal of the Appeal, this Civil Application does not survive. The Civil Application is rejected.

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